

012604

16523
U.S. PTO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

<i>Attorney Docket No.</i>	091401-9004
<i>First Named Inventor</i>	
Sriram S. Iyer	
CERTIFICATION UNDER 37 CFR 1.10	
I, Leslie Rector, hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV 086435885 US, addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
 <i>Leslie Rector</i> <small>Signature</small>	
January 26, 2004	
<hr/>	
Date	

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing is a complete continuation patent application, entitled "APPARATUS AND METHODS FOR PREVENTING OR TREATING FAILURE OF HEMODIALYSIS VASCULAR ACCESS AND OTHER VASCULAR GRAFTS" invented by:

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and including the following documents:

- Specification including Claims - 56
- Drawings – 14
- Return Receipt Postcard
- Preliminary Amendment
- Information Disclosure Statement including Forms PTO-1449, PTO/SB/08A and PTO/SB/08B (47 sheets) (references previously provided in parent application)
- A copy of U.S. Patent 6,534,693
- A copy of U.S. Patent Application Publication US2002/0055701A1, published May 9, 2002
- Claim Correspondence

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No Fee is included at this time.

Applicants claim small entity status.

Please use Figure 1 for the front page of published application.

Please include Assignee name and address in published application as follows:

Vascular Therapies, LLC
New York, New York

This patent application is a continuation of prior Application No. 10/431,737, filed on May 8, 2003, which is a continuation of prior Application No. 10/051,708, filed on January 16, 2002. The entire disclosure of the prior applications is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

This application (and its parent and grandparent noted above) claim the benefit of prior filed provisional patent application number 60/262,132, filed on January 16, 2001. The entire disclosure of the previously filed provisional application is also incorporated by reference herein.

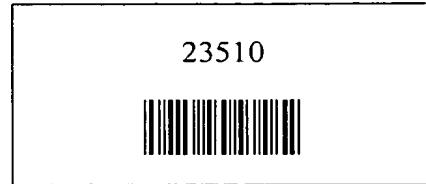
Notation of Possible Interfering Subject Matter

In accordance with the Rules, claims 37-57 of this application in the concurrently filed Preliminary Amendment are verbatim copies of claims 1-21 of Fischell *et al.* U.S. Patent 6,534,693.

In accordance with the Rules, claims 58-62 of this application in the concurrently filed Preliminary Amendment are verbatim copies of claims originating from Fischell *et al.* U.S. Patent Application Publication US2002/0055701A1 published May 9, 2002. Those claims were moved into the parent of this application (*i.e.*, S.N. 10/431,739), per a Second Preliminary Amendment mailed January 21, 2004 from S.N. 10/435,515 filed May 9, 2003. This continuation application is being filed out of an abundance of caution to determine whether, in fact, interfering subject matter exists between the aforementioned Patent Application Publication and this continuation application.

The parent application and this continuation application are assigned to Vascular Therapies, LLC.

Customer Number / Bar Code Label



Dated: January 26, 2004

Respectfully submitted,

A handwritten signature of "Grady J. Frenchick" in black ink.

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cc: Docketing
Wkg Atty. JDP
Resp Atty. GJF
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